



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: May 26, 2009
SUBJECT: Conditional Use Permit No. 729-09
APPLICANT: Roger Neipris
C/o Goodyear Tire Company
P.O. Box 802616
Santa Clarita, CA 91380-2616
REQUEST: Conditional Use Permit approval to facilitate interior/exterior improvements to a former Goodyear tire sales/repair store on a site located in the CR-D (Commercial, Regional-Design Overly Review) zone district
PROPERTY INVOLVED: 744 E. Dominguez Street

COMMISSION ACTION

- Concurred with staff
 Did not concur with staff
 Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Graber
		Vice-Chair Saenz			Park
		Brimmer			Schaefer
		Brown			Verrett
		Gordon			

Item No. 11-A

I. **Introduction**

Date Application Received-March 25, 2009

- Conditional Use Permit No. 729-09

Property Owner

- P. Kohn Company, 4069 Fulton Dr. N.W. Canton, Ohio, 44718

Project Applicant

- Roger Neipris, C/o Goodyear Tire Company, P.O. Box 802616, Santa Clarita, CA 91380-2616

Project Address

- 744 E. Dominguez Street, Carson, CA 90745

Project Description

- The application includes the following:
 - Conditional Use Permit No. 729-09 for interior/exterior improvements to a former Goodyear tire sales/repair store on a site zoned CR-D (Commercial Regional-Design Overlay Review). The new store name is "Just Tires" affiliated with Goodyear Tire Company.

II. **Background**

Current Use of Property

- The property is developed with a commercial building consisting of approximately 8,426 square feet. The building was built in 1974.

Previously Approved Discretionary Permits

- There is no record of previously approved discretionary permits on this property. However, Plot Plan No. 73-30 was approved without discretionary review.

Public Safety Issues

- After consulting with the Public Safety Department it was determined that there is no zoning code enforcement cases associated with this property.

On October 5, 2004, City Council passed Ordinance No. 04-1322 (Exhibit No. 3), which requires a conditional use permit (CUP) for any auto repair use located within one-hundred (100) feet of a residential zone or within the CR (Commercial, Regional) zoning district.

A CUP can only be approved by the Commission if certain findings can be made, including providing adequate onsite parking and meeting applicable development standards contained in Section 9138.2. A report must be prepared by the applicant showing that Building, Plumbing, Electrical, and Fire Code deficiencies are eliminated. The Commission may require additional improvements to the property, or



any buildings or structures thereon, which may include but are not limited to the following:

1. New or rehabilitated landscaping;
2. Exterior changes to promote compatibility of buildings and structures with surrounding development;
3. General repairs to vehicular maneuvering or parking areas; and
4. Modifications designed to bring a structure more nearly into compliance with the applicable standards for commercial uses.

III. Analysis

Location/Site Characteristics/Existing Development

- The subject property is located at 744 E. Dominguez Street.
- The subject site consists of a commercial building with 8,426 square feet that was built in 1974.
- Regional Commercial uses surround the subject property.
- The lot has an irregular shape with a lot area of 30,649 square feet.
- The existing commercial building is developed with 27 parking spaces.

Zoning/General Plan/Redevelopment Area Designation

- The subject property is zoned CR-D (Commercial Regional-Design Overlay Review) and surrounding properties share the same zoning.
- The subject property has a General Plan Land Use designation of Regional Commercial.

As identified in the May 12, 2009 Planning Commission auto repair workshop, the subject building which has been vacant for over one year and was previously developed with Daniel's Tire Shop, is the first major auto repair business that is being presented for Planning Commission Conditional Use Permit review and approval under Ordinance No. 04-1322 (Exhibit 3). Therefore, the conditions of approval that the Planning Commission approves for "Just Tires" will become precedence for the other auto repair business near the South Bay Pavilion (i.e., Pep Boys, America's Tire).

The applicant is proposing new landscaping on all planting areas with an automatic drip irrigation system. The existing pine trees will be replaced with palm trees of the same variety as are developed across Dominguez Street at the Pavilion Shopping center. The interior parking lot will have palm trees of a smaller variety that will not obscure the visual sight plane of the proposed "Just Tires" wall sign.

The building wall will have stucco and the entry areas will be trimmed with tile as identified in the attached building elevations. The existing garage doors will be replaced with new roll-up doors, the parking lot will be re-slurried and all parking spaces will be re-stripped. The applicant is proposing to remodel interior customer

waiting areas with new paint, flooring, lighting and furniture, and upgrade the existing restrooms to current ADA access standards.

Regarding signage, staff is recommending that the applicant submit for a sign permit after the Planning Commission reviews and approves a sign program for all auto repair businesses within the Commercial Regional zoning district adjacent to the South Bay Pavilion.

As required by Ordinance No. 04-1322, (Exhibit No. 3) the applicant has provided a building inspection report by a certified inspector and is attached for your review. The inspection report identifies any potential building, plumbing and electrical deficiencies and recommends repairs in conformance to the State Uniform Building Code.

Applicable Zoning Ordinance Regulations

The proposed CUP is subject to the approval of a development plan in accordance with the Conditional Use Permit (CUP) procedures as provided in Section 9172.21 and subject to CMC Section 9138.2 (Vehicle Service and Repair).

Required Findings: Conditional Use Permit

Pursuant to Section 9172.21(D), Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. The proposed use and development will be consistent with the General Plan.
2. The site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
3. There will be adequate street access and traffic capacity.
4. There will be adequate water supply for fire protection.
5. The proposed use and development will be compatible with the intended character of the area.

All of the required findings pursuant to Section 9172.21(D) can be made in the affirmative. Details can be found in the attached Resolution.

Issues of Concern:

- Issue – Aesthetic Improvements: Pursuant to Ordinance No. 04-1322 and CMC Section No. 9138.2(B), Vehicle Service and Repair: The applicant shall provide plans that enhance the architectural character of the existing structure which illustrates compatibility with the South Bay Pavilion Shopping Center.
- - *Mitigation:* The applicant shall provide building elevations, floor plans and landscaping/irrigation plans that illustrate proposed building and

ground improvements compatible with the surrounding built environment located in the Commercial Regional zone district.

- *Mitigation:* The property owner/applicant provided a property inspection report that identifies any plumbing, electrical and building fire code deficiencies that may exist and the proposed plans/requirements to correct any existing or potential deficiencies in compliance with State Uniform Building and Fire Codes.

IV. Environmental Review

Pursuant to Section 15301(e), Existing Facilities, of the California Environmental Quality Act (CEQA), the proposed interior/exterior improvements to an existing commercial building does not have the potential to cause a significant effect on the environment and is found to be exempt.

V. Recommendation


That the Planning Commission:

- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 729-09 FOR INTERIOR AND EXTERIOR IMPROVEMENTS FOR AN AUTOMOBILE SALES AND REPAIR BUSINESS LOCATED AT 744 E. DOMINGUEZ STREET."

VI. Exhibits

1. Resolution
2. Development Plans
3. Ordinance No. 04-1322

Prepared by: 
Zak Gonzalez II, Planner

Reviewed by: 
John F. Signo, AICP, Senior Planner

Approved by: 
Sheri Repp, Planning Manager

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 09-

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 729-09 FOR INTERIOR AND EXTERIOR IMPROVEMENTS
FOR AN AUTOMOBILE SALES AND REPAIR BUSINESS
LOCATED AT 744 E. DOMINGUEZ STREET

THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA,
HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

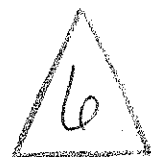
Section 1. An application was duly filed by the applicant, Roger Neipris, with respect to real property located at 744 E. Dominguez Street, and described in Exhibit "A" attached hereto, requesting the approval of a Conditional Use Permit (CUP No. 729-09) for interior and exterior improvements to a former Goodyear tire sales/repair store in the CR-D (Commercial, Regional-Design Overlay Review) zoning district. The improvements are for a new Just Tires sales and repair business that will be operating at the site.

A public hearing was duly held on May 26, 2009, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

- a) The General Plan designates the property as Commercial Regional which is compatible with the proposed use. The proposed commercial building remodel will be consistent with the surrounding commercial uses and is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development. The surrounding land uses are primarily light industrial uses and the proposed project is compatible with those uses. The site is 0.7 acres, relatively flat, and is located in a commercial area.
- d) The circulation and street parking on the adjacent public streets will not be adversely impacted since the proposed use at the site for auto repair and sales will not change. Safety and convenience of vehicular and pedestrian access is provided.
- e) Signage will be reviewed for conformance with the Carson Municipal Code. Signs will be attractive and consistent with the surrounding area.



- f) The proposed CUP application for interior and exterior remodel meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.21(D), Findings and Decision, can be made in the affirmative.

Section 4. The Planning Commission further finds that the proposed use will not have a significant effect on the environment. The proposed use will not alter the predominantly commercial regional character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(e) of the CEQA (California Environmental Quality Act) Guidelines.

Section 5. Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 729-09 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 26th DAY OF MAY, 2009

CHAIRMAN

ATTEST:

SECRETARY



LEGAL DESCRIPTION

Real property in the City of Carson, County of Los Angeles, State of California, described as follows:

PARCEL A:

PARCEL 3 OF PARCEL MAP NO. 3450, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 43, PAGE 33, OF PARCEL MAPS, IN THE OFFICE OF THE RECORDER OF SAID COUNTY, BEING A SUBDIVISION OF PARCEL 3 OF PARCEL MAP 2540, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 38, PAGE 6, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL 100 PER CENT OF THE OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES WHICH LIE BELOW A PLANE PARALLEL TO AND 500 FEET BELOW THE NATURAL SURFACE OF SAID LAND WITHOUT, HOWEVER, ANY RIGHT TO ENTER UPON THE SURFACE OF SAID LAND TO EXPLORE FOR, DEVELOP OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME BY MEANS OF WELLS OR EQUIPMENT, HAVING SURFACE LOCATIONS OUTSIDE THE OUTER BOUNDARIES OF SAID REAL PROPERTY, AS EXCEPTED IN THE DEED FROM DEL AND ESTATE COMPANY, A CORPORATION, RECORDED NOVEMBER 8, 1963, IN BOOK C-2250, PAGE 752, OFFICIAL RECORDS.

PARCEL B:

A NON EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, SANITARY SEWER, DRAINAGE AND UTILITY PURPOSES OVER THE NORTHWESTERLY 10 FEET MEASURED AT RIGHT ANGLES, OF PARCEL 4 OF PARCEL MAP 2540, IN THE CITY OF CARSON, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 38, PAGE 6, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 7381-025-035

CITY OF CARSON
ECONOMIC DEVELOPMENT
PLANNING DIVISION

EXHIBIT "B"

CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 729-09

GENERAL CONDITIONS

1. If a business license permit for said use is not issued within one year of the date of approval of Conditional Use Permit No. 729-09, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
2. Upon activation, the Conditional Use Permit shall become automatically null and void if said use has been suspended or has ceased to exist for a period of one year, unless an extension of time is requested prior to expiration and approved by the Planning Commission.
3. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
4. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
5. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission. Any minor revisions shall be reviewed and approved by the Planning Division prior to Building and Safety plan check submittal.
6. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
7. It is further made a condition of this approval that if any condition is violated or if any law, statute ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.



8. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
9. In accordance with Ordinance No. 04-1322, the owner/applicant provided a report which includes plans to eliminate or mitigate any building, plumbing, electrical and fire code deficiencies that may exist on the subject commercial building located at 744 E. Dominguez Street.
10. The owner/applicant shall re-slurry the parking lot and re-paint all parking spaces in compliance with CMC requirements.
11. The owner/applicant shall comply with the Standard Urban Storm Water Plan (SUSUMP) requirements. Owner/applicant shall coordinate with the city's Development Services Department, Public Works Division, Patricia Elkins.
12. The owner/applicant shall submit a landscape and irrigation plan signed by a landscaped architect and approved by the Planning Division. Said plan shall illustrate the planting of new shrubs, flowering evergreen ground cover, removal of existing pine trees and the planting of palm trees of varieties similar to those planted at the South Bay Pavilion. All trees and new shrubs planted shall be maintained by an automatic drip irrigation system. Existing landscaping shall be removed as noted on plans and replaced by the approved landscaping plan. Failure to maintain landscaping will result in Code Enforcement action against the property owner.
13. The owner/applicant shall apply for a separate sign permit. Approval of said permit shall be subject to Planning Division review and approval for proper size, height, type, material, and design standards to be applied consistently with all auto repair uses within the CR (Commercial, Regional) zoning district adjacent to the South Bay Pavilion. The owner/applicant may choose to retrofit existing sign consistent with Planning Commission's recommendations.
14. Any future building expansions will require a modification request to the Conditional Use Permit.
15. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 729-09. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

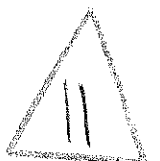


ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

16. Prior to issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

17. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.



ORDINANCE NO. 04-1322

AN ORDINANCE OF THE CITY OF CARSON REGARDING VEHICLE REPAIR AND SERVICE WITHIN THE CR (COMMERCIAL, REGIONAL) ZONE, THE MUR (MIXED USE RESIDENTIAL) OVERLAY DISTRICT AND PROPERTIES IN ALL ZONES WITHIN 100 FEET OF RESIDENTIAL ZONES

THE CITY COUNCIL OF THE CITY OF CARSON DOES ORDAIN AS FOLLOWS:

Section 1. Code Amendment. Section 9131.1 (Uses Permitted) of Division 1 (Uses Permitted) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended to read as follows:

“ZONES

CN CR CG CA

Repair of all vehicles up to 2-ton capacity (no boats):

Minor repair as defined in section 9138.11
and subject to the provisions of Section 9138.2
(See Section 9133)

C L

Major repair as defined in Section 9138.11 and
subject to the provisions of Section 9138.2 and
Section 9138.15 (for CA zone only)* (See Section
9133)”

L C

Section 2. Code Amendment. Section 9131.13 (Uses Permitted within a Mixed-Use Residential MUR Overlay District) of Division 1 (Uses Permitted) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by adding paragraph E to read as follows:

“E. Vehicle repair and service is permitted for non mixed-use commercial/residential developments, subject to the approval of a Conditional Use Permit by the Planning Commission pursuant to Section 9172.21 and the requirements of Section 9138.2.”

Section 3. Code Amendment. Section 9132.2 (Vehicle Sales and Service) of Division 2 (Accessory Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by modifying paragraphs 2, 3, 4 and 7 to read as follows:

“Minor repairs and services (as defined in Section 9138.11) are permitted with an automobile service station or automobile laundry other than a self-service

automobile laundry. (See Section 9138.12 and 9138.13) and (Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones).

Minor repairs and services (as defined in Section 9138.11) incidental to the sale of new automobile parts, and including the installation of seat covers, are permitted with the sale of new automobile parts subject to the requirements of Section 9138.2. (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones).

Major repairs and services (as defined in Section 9138.11), as well as minor repairs and services are permitted with motor vehicle sales, subject to the requirements of Section 9138.2 and 9138.15(c). (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones).

Minor repairs and services (as defined in Section 9138.11(A)(4) are permitted with a vehicle auction. (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones)."

Section 4. Code Amendment. Section 9133 (Conditional Use Criteria) of Division 3 (Conditional Use Criteria) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by adding a new paragraph to read as follows:

"Vehicle Repair and Service:

Compliance with the provisions of Section 9138.2."

Section 5. Code Amendment. Section 9138.12 (Automobile Service Stations) of Division 8 (Special Requirements for Certain Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by modifying paragraph 5 to read as follows:

"A(5). Minor repair and service of automobiles and other motor vehicles, except in CA zone (these uses not permitted within an Automobile Service Station). (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones)."

Section 6. Code Amendment. Section 9138.21 (Vehicle Auctions) of Division 8 (Special Requirements for Certain Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by modifying paragraph 4 to read as follows:

"4. Vehicle service and repair may be permitted as an accessory use, subject to Section 9132.2 of this Chapter (See Section 9133 for CR zone, MUR Overlay District and properties in all zones within 100 feet of residential zones)."

Section 7. Code Amendment. Section 9138.2 (Vehicle Service and Repair) of Division 8 (Special Requirements for Certain Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by numbering existing paragraphs and adding paragraphs 1 and 8-17 to read as follows:

"The servicing and repair of motor vehicles in the commercial zones at establishments other than retail petroleum outlets* shall be subject to the following:

1. Vehicle repair and service located within 100 feet of any residential zone, as measured from lot line to lot line, shall be subject to the approval of a Conditional Use Permit by the Planning Commission pursuant to Section 9172.21. Within the CR (Commercial, Regional) zone and MUR (Mixed-Use Residential) Overlay District, a Conditional Use Permit is required regardless of the 100 foot distance requirement.
2. All operations shall be conducted within an enclosed building.
3. All areas or structures in which such operations are conducted shall be so located or soundproofed as to prevent annoyance or detriment to surrounding property. In no case shall doors or windows be permitted in any wall within 100 feet of and facing a residential zone.
4. All damaged or wrecked vehicles awaiting repair shall be effectively screened so as not to be visible from surrounding property or from any adjoining public street or walkway.
5. All repair activities shall be confined to the hours between 7:00 a.m. to 9:00 p.m. daily.
6. No damaged or wrecked vehicles shall be stored for purposes other than repair and shall not constitute a vehicle wrecking, dismantling, or impounding yard, or junk or salvage yard.
7. Dismantling of vehicles for purposes other than repair is prohibited.
8. All display and storage shall be located within an enclosed building. Vehicles awaiting service may be parked in an unenclosed area for a period not to exceed 72 hours. Vending machines shall be placed indoors.
9. The entire ground area of the site, except building and planting areas,

shall be paved with asphaltic compound or concrete to City standards and shall comply with the Standard Urban Stormwater Mitigation Plan (SUSMP) requirements as stated in Article V Sanitation & Health, Chapter 8 Stormwater & Urban Runoff Pollution Control section of the Carson Municipal Code.

10. Design a repair/maintenance bay drainage system to capture all washwater, leaks and spills. Connect drains to sump for collection and disposal or connect to clarifier then sanitary sewer.
11. That development and architectural plans indicating compliance with the provisions of this section and embodying acceptable design standards shall be submitted for approval by the Planning Division and made a condition of an approved Conditional Use Permit.
12. All entrances to rest rooms shall be located within the building in such a manner as not to be visible from adjacent property.
13. Parking shall be provided as follows:
 - a. One automobile parking space shall be provided for each employee on the largest shift.
 - b. Two parking spaces shall be provided for each service bay.
 - c. Spaces are to be striped and provided, as deemed necessary, with bumper guards or wheel stops approved by the Planning Division.
 - d. Vehicles may only be parked in designated parking spaces.
 - e. Parking for all other uses shall comply with Section 9162.21.
14. That landscaping shall be provided as follows:
 - a. Landscaped planters shall be provided along the full length of building facades facing streets or public parking areas.
 - b. All landscaped areas shall be protected by a curb not less than 6 inches in height or a raised planter wall between the landscaping and paved areas.
 - c. Landscaped planters not less than three feet in width shall be provided along all interior lot lines.
 - d. Landscaping shall consist of trees of at least 24-inch box, shrubs of at least five gallon size, and suitable ground cover.
 - e. All landscaped areas shall be properly maintained in a neat, orderly and safe manner. Such landscaping and maintenance shall include, but not be limited to, the installation and use of an irrigation system, permanently and completely installed, which delivers water directly to all landscaped areas.
15. A solid decorative masonry wall or wrought iron fencing with appropriate

landscaping or other such appropriate screening material to the discretion of the Director, six feet in height shall be installed and maintained along interior property lines not occupied by a building, except that any screening located within the required front setback area shall not exceed 3 ½ feet in height.

16. That the requirements and limitations contained in this section shall be considered minimum standards provided, however, that the Planning Commission may:
 - a. Require such additional conditions as are deemed necessary within the intent of Section 9172.21(D); or
 - b. Modify such requirements or limitations contained herein, which in the opinion of the Planning Commission, are inappropriate or inapplicable either to the intended use of the property, to the property itself or to adjacent property.

17. Signage shall be of appropriate design as approved pursuant to the Site Plan and Design Review procedures (including number of signs and sign structures to be permitted) as provided in Section 9172.23."

Section 8. Code Amendment. Paragraph (C) of Section 9162.21 (Parking Spaces Required) of Division 2 (Vehicular Parking, Loading and Maneuvering Areas) of Part 6 (General Development Standards) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by adding a new sub-paragraph (13) to read as follows:

Use	Off-Street Parking Required
"13. Vehicle Repair and Service	1 parking space shall be provided for each employee on the largest shift, plus 2 parking spaces shall be provided for each service bay. Parking for all other uses shall comply with Section 9162.21. "

Section 9. Code Amendment. Section 9182.22 (Termination of Existing Nonconforming Uses) of Division 2 (Nonconformities) of Part 8 (Implementing Provisions) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby amended by adding the following language to the table in Paragraph A to read as follows:

Use	Allowable Life
"Vehicle Repair and Service located within the CR (Commercial,	5 years "

Residential) zone, the Mixed-Use Residential (MUR) Overlay District and properties in all zones within 100 feet of residential zones, subject to Section 9182.26

Section 10. Code Amendment. Section 9182.26 (Continuation of Vehicle Repair and Service) of Division 2 (Nonconformities) of Part 8 (Implementing Provisions) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) is hereby created to read as follows:

- "A. Existing lawfully established vehicle repair and service uses located within the CR (Commercial, Regional), MUR (Mixed-Use Residential) Overlay District and all zones within 100 feet of residential zones shall obtain a Conditional Use Permit by the Planning Commission pursuant to Section 9172.21. An application for a Conditional Use Permit shall be submitted within a 5-year period of the effective date of this ordinance or prior to the termination of the amortization period, whichever provides the greater amount of time.

When approving a Conditional Use Permit, the Commission shall make findings regarding the adequacy of on-site parking and applicable development standards contained in Section 9138.2. The Commission shall require, as a condition precedent to the continued use of the property

under the Conditional Use Permit, that a report be submitted by the applicant, which shall provide and include plans to eliminate or mitigate any Building, Plumbing Electrical and Fire Code deficiencies. The Commission may require additional improvements to the property, or any buildings or structures thereon, which may include but are not limited to the following:

1. New or rehabilitated landscaping;
2. Exterior changes to promote compatibility of buildings and structures with surrounding development;
3. General repairs to vehicular maneuvering or parking areas;
4. Modifications designed to bring a structure more nearly into compliance with the applicable standards for commercial uses.

This section shall not validate any existing illegal vehicle repair and service facilities."

Section 11. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or contrary to state law, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional or contrary to state law.

PASSED, APPROVED and ADOPTED this 5th day of October, 2004.

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO FORM:

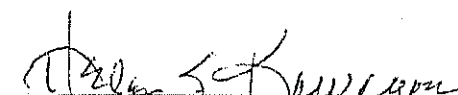
CITY ATTORNEY


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to be unconstitutional or contrary to state law, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional or contrary to state law.


PASSED, APPROVED and ADOPTED this 5th day of October, 2004.

ATTEST:


CITY CLERK


MAYOR

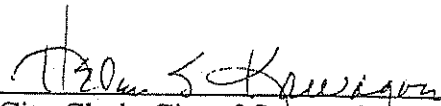
APPROVED AS TO FORM:


CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Helen S. Kawagoe, City Clerk of the City of Carson, California, do hereby certify that the whole number of members of the City Council of said City is four; that the foregoing ordinance, being Ordinance No. 04-1322 passed first reading on September 21, 2004, was duly and regularly adopted by the City Council of said City at a regular meeting of said Council, duly and regularly held on the 5th day of October, 2004, and that the same was passed and adopted by the following roll call vote:

AYES:	COUNCIL MEMBERS:	Mayor Dear, Calas, Santarina, and Ruiz-Raber
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None



City Clerk, City of Carson, California